

AMENDED IN ASSEMBLY APRIL 18, 2006

AMENDED IN ASSEMBLY MARCH 23, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2110

Introduced by Assembly Member Hancock

February 17, 2006

An act to add Section 597.4 to the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 2110, as amended, Hancock. Animal cruelty: dogs: field coursing.

Existing law makes it a crime to commit animal cruelty, as specified.

This bill would provide, in addition, that any person who knowingly engages in ~~any activity in which a dog is left untethered and allowed to track and pursue any rabbit, hare, or fox and that results in the injury or death of the rabbit, hare, or fox~~ *“live field coursing” as defined*, is guilty of a misdemeanor punishable by imprisonment in a county jail for a period not to exceed 6 months, by a fine not to exceed \$1,000, or by both that imprisonment and fine. The bill would provide that nothing in its provisions shall prohibit the use of dogs in the management of livestock or for hunting, as permitted; the use of dogs for the training of dogs, or for the use of equipment in the training of dogs, for any purpose not prohibited by law; or the use of dogs to take animals injuring growing crops or other property, as specified. By creating a new crime, this bill would impose a state-mandated local program upon local governments.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 597.4 is added to the Penal Code, to
2 read:

3 597.4. (a) Any person who knowingly engages in live field
4 coursing is guilty of a misdemeanor punishable by imprisonment
5 in a county jail for a period not to exceed six months, by a fine
6 not to exceed one thousand dollars (\$1,000), or by both that
7 imprisonment and fine.

8 (b) For the purposes of this section, “live field coursing”
9 ~~includes any activity in which a dog is left untethered and~~
10 ~~allowed to track and pursue any rabbit, hare, or fox and that~~
11 ~~results in the injury or death of the rabbit, hare, or fox. is a~~
12 *competition in which dogs are, by the use of rabbits, hares, or*
13 *foxes, assessed as to skill in hunting live rabbits, hares, or foxes.*

14 (c) Nothing in this section shall prohibit any of the following:

15 (1) The use of dogs in the management of livestock, as defined
16 by Section 14205 of the Food and Agricultural Code, by the
17 owner of the livestock, by the owner’s employees or agents, or
18 by other persons in lawful custody of the livestock.

19 (2) The use of dogs in hunting as permitted by provisions in
20 the Fish and Game Code, including, but not limited to, Section
21 4756 of the Fish and Game Code.

22 (3) The training of dogs, or the use of equipment in the
23 training of dogs, for any purpose not prohibited by law.

24 (4) The use of dogs to take animals injuring growing crops or
25 other property, as set forth in Section 4152 of the Fish and Game
26 Code, by the owner of the property or the owner’s employees or
27 agents; provided, however, that no more than one dog may be
28 used at a time to take any animal pursuant to Section 4152 of the
29 Fish and Game Code or this paragraph.

1 SEC. 2. No reimbursement is required by this act pursuant to
2 Section 6 of Article XIII B of the California Constitution because
3 the only costs that may be incurred by a local agency or school
4 district will be incurred because this act creates a new crime or
5 infraction, eliminates a crime or infraction, or changes the
6 penalty for a crime or infraction, within the meaning of Section
7 17556 of the Government Code, or changes the definition of a
8 crime within the meaning of Section 6 of Article XIII B of the
9 California Constitution.

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